

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Currently Amended) A stapler comprising:

a striking mechanism portion;

a movable clincher for bending staple legs that have been inserted into a stack of sheets being stapled by the striking mechanism portion along a back face of the stack of sheets being stapled by being pivoted from a standby position to an operating position; and

a cutter unit,

wherein the cutter unit comprises a fixed cutter and a movable cutter,

the cutter unit is arranged slidably between a position advanced into an operation region of the movable clincher opposed to a staple strike out portion of the striking mechanism and a position removed from the operation region of the movable clincher, and both the fixed cutter and movable cutter are slidable with the cutter unit,

when the movable clincher is pivoted to the standby position, the cutter unit advances to the operation region of the movable clincher to cut the staple legs inserted into the stack of sheets being stapled, and

after removing the cutter unit from the operation region of the movable clincher, the movable clincher is pivoted to the operating position to bend the cut staple legs.

2. (Currently Amended) The stapler according to Claim 1, wherein the components of the stapler are arranged so that when the cutter unit advances to the operation region of the movable clincher, the fixed cutter is positioned between the staple legs inserted into the stack of sheets

being stapled and the movable cutter is operated from an outer side to an inner side of the staple legs relative to the fixed cutter to cut the staple legs.

3. (Previously presented) The stapler according to Claim 1, further comprising:
  - an opening formed at the cutter unit; and
  - a chute arranged on a lower side of the cutter unit,wherein staple chips formed by cutting of the staple legs are discharged to a side of a lower face of the cutter unit by way of the opening at a position at which the cutter unit is removed from the operation region of the movable clincher and are guided into a chip containing portion by way of the chute.
4. (Previously presented) The stapler according to Claim 3, wherein the chute comprises:
  - a first end portion arranged on the side of the lower face of the cutter unit and comprising a pivotably supporting portion for pivotably supporting the chute; and
  - a second end portion arranged in the chip containing portion,wherein the pivotably supporting portion is moved to an upper side such that an inclination angle of the chute is increased by pivoting the clincher.